**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 2908 OF 2005.**
**IN**
**WRIT PETITION NO.10825 of 2004.**

Dinanath Jagdish Rajbhar ... Applicant.
V/s.
Khanna Rayon Industries Ltd ... Respondents.

Shri George M. Thomas for the applicant.

Shri V.P. Vaidya for the respondents.

**CORAM : V.C.DAGA, J.**

**DATED : 21.11.2005.**

**P.C. :**

. The order dated 1.9.2005 passed in Writ Petition No. 10825 of 2004 is absolutely clear which in specific terms makes it clear that failure on the part of the applicant-petitiioner to deposit Rs. 3,50,565 /- within a period of two weeks would result in discharging the Rule. Applicant-petitioner did not apply for vacation or modification of the said order. With the result, Rule in the petition stood automatically discharged with the failure to deposit. Petition, thus, as on date does not survive. As such, it is treated as disposed of with no order as to costs.

. In view of the disposal of the petition, no orders are necessary on the Civil Application. The same stands disposed of with no order as to costs.